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[PUBLIC LAW 200--77TH CONGRESS]

[CHAPTER 346--1ST SESSION]

[H. R. 1073]

AN ACT

To amend the Classification Act of 1923, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Classification Act of 1923, as amended, is hereby further amended as follows:

SEC. 2. Section 7 of the said Act is hereby amended by inserting the letter "(a)" after the figure "7" at the beginning of said section, and by adding the following paragraphs as subsections thereof:

"(b) All employees compensated on a per annum basis, and occupying permanent positions within the scope of the compensation schedules fixed by this Act, who have not attained the maximum rate of compensation for the grade in which their positions are respectively allocated, shall be advanced in compensation successively to the next higher rate within the grade at the beginning of the next quarter, following the completion of: (1) Each eighteen months of service if such employees are in grades in which the compensation increments are \$60 or \$100, or (2) each thirty months of service if such employees are in grades in which the compensation increments are \$200 or \$250, subject to the following conditions:

"(1) That no equivalent increase in compensation from any cause was received during such period, except increase made pursuant to subsection (f) of this section;

"(2) That an employee whose rate of compensation is below the middle rate of the grade shall not be advanced unless his current efficiency is good or better than good;

"(3) That an employee whose rate of compensation is at or above the middle rate of the grade shall not be advanced unless his current efficiency is better than good;

"(4) That the service and conduct of such employee are certified by the head of the department or agency or such official as he may designate as being otherwise satisfactory.

"(c) The term 'good' as used herein shall be defined in accordance with the systems of efficiency rating established pursuant to section 9 of this Act.

"(d) For the purposes of this section, the fourth salary rate in grades 2 and 3 of the custodial service shall be considered the middle rate.

"(e) Employees eligible under subsection (b) for compensation advancement by reason of service immediately preceding the effective date of this amendment shall be advanced to the next higher rate of compensation within the grade to which their positions are respectively allocated at the beginning of the next quarter immediately following the effective date of this amendment.

"(f) Within the limit of available appropriations, and in recognition of especially meritorious services, the head of any department or agency is authorized to make additional within-grade compensation advancements, but any such additional advancements shall not exceed one step and no employee shall be eligible for more than one additional advancement hereunder within each of the time periods specified in subsection (b). All actions under this subsection and the reasons therefor shall be reported to the Civil Service Commission. The Commission shall present an annual consolidated report to the Congress covering the numbers and types of actions taken under this subsection.

"(g) The President is hereby authorized to issue such regulations as may be necessary for the administration of this section.

"(h) The provisions of subsections (b) to (f), both inclusive, of this section shall not apply to the compensation of persons appointed by the President, by and with the advice and consent of the Senate."

SEC. 3. Section 9 of the said Act is hereby amended by adding thereto the following paragraph:

"The Civil Service Commission and heads of departments are authorized and directed to take such action as will apply the provisions of this section uniformly to all employees occupying positions within the compensation schedules fixed by this Act as nearly as is practicable."

SEC. 4. Section 13 of the said Act is hereby further amended so as to provide the following annual rates of compensation and salary steps within grades 14 and 15 of the clerical, administrative, and fiscal service and grades 7 and 8 of the professional and scientific service:

"Clerical, administrative, and fiscal service:

"Grade 14: \$6,500, \$6,750, \$7,000, \$7,250, \$7,500.

"Grade 15: \$8,000, \$8,250, \$8,500, \$8,750, \$9,000.

"Professional and scientific service:

"Grade 7: \$6,500, \$6,750, \$7,000, \$7,250, \$7,500.

"Grade 8: \$8,000, \$8,250, \$8,500, \$8,750, \$9,000."

SEC. 5. (a) Title II of the Act of November 26, 1940, entitled "An Act extending the classified executive civil service of the United States", is hereby amended by deleting from section 3 (d) (viii) the words "verifiers, openers, packers, guards, inspectors, station inspectors" so that the paragraph as amended will read as follows:

"(viii) Offices or positions of clerks and laborers in the Customs Service of the Treasury Department, the compensation of which is fixed under an Act of Congress approved May 29, 1928 (45 Stat. 955), as amended;".

(b) Upon the passage of this Act, the Secretary of the Treasury shall allocate to the services and grades of the compensation schedules of the Classification Act of 1923, as amended, the other positions heretofore covered by said Act of May 29, 1928, in the same manner as other positions in the field service of the Treasury Department are allocated under section 2 of the Act of July 3, 1930 (46 Stat. 1003).

(c) Nothing contained in this section shall be construed to decrease the existing compensation of any employee, but when his position shall become vacant it shall be filled in accordance with the regular compensation schedule applicable to such position.

SEC. 6. Section 3 of the Legislative Pay Act of 1929 is hereby amended effective on the date of the enactment of this Act by adding at the end of the first paragraph thereof, before the period, the following: "*Provided further*, That the compensation of any employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration may be fixed by the Architect of the Capitol without reference to the provisions of the Classification Act of 1923, as amended".

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry the provisions of this Act into effect.

SEC. 8. Insofar as they are inconsistent or in conflict with prior laws, the provisions of this Act shall control.

SEC. 9. This Act shall take effect on July 1, 1941.

Approved, August 1, 1941.